

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

ZON LED, LLC,)	
)	
Plaintiff,)	
v.)	Case No. CIV-16-1090-D
)	
POWER PARTNERS, INC., <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

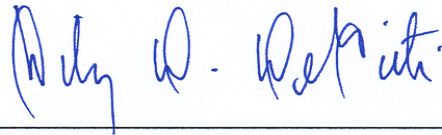
Before the Court are Defendant Inventronics USA, Inc.’s Motion to Dismiss [Doc. No. 15] and Defendant Power Partners, Inc.’s Motion to Dismiss for Lack of Personal Jurisdiction and Failure to State a Claim [Doc. No. 30]. Both challenge the sufficiency of Plaintiff’s Complaint. On January 26, 2017, however, Plaintiff filed an amended pleading. The Amended Complaint supersedes Plaintiff’s original pleading and renders it of no legal effect. *See Davis v. TXO Prod. Corp.*, 929 F.2d 1515, 1517 (10th Cir. 1991); *see also Predator Int’l, Inc. v. Gamo Outdoor USA, Inc.*, 793 F.3d 1177, 1180-81 (10th Cir. 2015); *Mink v. Suthers*, 482 F.3d 1244, 1254 (10th Cir. 2007). Thus, all motions for dismissal directed at the Complaint are moot.

Further, Defendant Power Partners, Inc.’s Motion to Transfer Venue Pursuant to 28 U.S.C. § 1404(a) [Doc. No. 31] is presented only as an alternative to dismissal, based on the allegations of the original Complaint. The Court finds that this motion is premature at this time.

IT IS THEREFORE ORDERED that Defendants' Motions [Do. Nos. 15, 30 & 31] are DENIED without prejudice to resubmission, as appropriate, in response to the Amended Complaint.

IT IS FURTHER ORDERED that Plaintiff's Motion for Extension of Time to Respond to Power Partner's Motions to Dismiss and Transfer [Doc. No. 39] is DENIED as moot.

IT IS SO ORDERED this 31st day of January, 2017.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE